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**Attorney for Defendant**

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF OREGON**

**UNITED STATES OF AMERICA,**

**Case Nos. 1:09-cr-30014-PA**  
**1:09-cr-30056-PA**

**Plaintiff,**

**v.**

**JOINT MOTION TO REDUCE**  
**SENTENCE PURSUANT TO**  
**18 U.S.C. § 3582(c)(1)(A)(i)**

**ALAN DAVID HURWITZ,**

**Defendant.**

The defendant, Alan David Hurwitz, through his attorney, together with the attorney for the government, Assistant United States Attorney Amy Potter, jointly move this Court pursuant to 18 U.S.C. § 3582(c)(1)(A)(i) to reduce his sentence to time served. As amended by the First Step Act, the compassionate release statute allows courts to reduce sentences for “extraordinary and compelling” reasons. Thirty days have elapsed since Mr. Hurwitz initiated a request for compassionate release consideration with the warden of FCI Butner. Accordingly this motion is properly before the Court.

Mr. Hurwitz is 79 years old. He suffers from multiple chronic, serious physical ailments that render him especially vulnerable to the new coronavirus disease, COVID-19. He is housed at

the low security federal correctional institution in Butner, North Carolina, where other inmates have tested positive for COVID-19. Based on all of the relevant circumstances, the parties agree that this case presents extraordinary and compelling reasons to reduce Mr. Hurwitz's sentence to time served. Additionally, the parties agree that the requested sentence reduction would be consistent with the sentencing factors under 18 U.S.C. § 3553(a) and the applicable policy statement in U.S.S.G. § 1B1.13.

Mr. Hurwitz has a release plan, approved by the United States Probation Office, to live with his daughter in the Northern District of California. The government requests that the Court grant this motion, but order that Mr. Hurwitz remain in Bureau of Prisons custody until he has completed a 14-day quarantine period. The defense requests that the Court grant this motion, and order that Mr. Hurwitz be released on May 20, 2020, which allows time for the Bureau of Prisons to arrange safe transportation to the district of release. Mr. Hurwitz agrees to quarantine at home for a period of 14 days.

Respectfully submitted this 15th day of May, 2020.

/s/ Elizabeth G. Daily

Elizabeth G. Daily  
Attorney for Defendant

/s/ Amy Potter

Amy Potter  
Assistant United States Attorney